

PERSONNEL REGULATIONS

City of San Diego

Index Code: G-6

October 7, 1977

Page 1 of 2

PERSONNEL MANUAL

Probationary Periods and Standards of Performance

REGULATION OF OUTSIDE EMPLOYMENT OR ENTERPRISE

I. AUTHORITY:

A. Civil Service Rule XI, Section 3. CAUSE FOR REMOVAL OR SUSPENSION.

B. California State Government Code, Section 1126.

(a) A local agency officer or employee shall not engage in any employment, activity, or enterprise for compensation which is inconsistent, incompatible, in conflict with, or inimical to his duties as a local agency officer or employee or with the duties, functions or responsibilities of his appointing power or the agency by which he is employed. Such officer or employee shall not perform any work, service or counsel for compensation outside of his local agency employment where any part of his efforts will be subject to approval by any other officer, employee, board or commission of his employing body, unless otherwise approved in the manner prescribed by subdivision (b).

(b) Each appointing power may determine, subject to approval of the local agency, those outside activities which, for employees under its jurisdiction, are inconsistent with, incompatible to, or in conflict with their duties as local agency officers or employees. An employee's outside employment, activity or enterprise may be prohibited if it:

(1) involves the use for private gain or advantage of his local agency time, facilities, equipment and supplies; or the badge, uniform prestige or influence of his local agency office or employment or, (2) involves receipt or acceptance by the officer or employee of any money or other consideration from anyone other than his local agency for the performance of an act which the officer or employee, if not performing such act, would be required or expected to render in the regular course or hours of his local agency employment or as a part of his duties as a local agency officer or employee or, (3) involves the performance of an act in other than his capacity as a local agency officer or employee which act may later be subject directly or indirectly to the control, inspection, review, audit or enforcement of any other officer or employee or the agency by which he is employed, or (4) involves such time demands as would render performance of his duties as a local agency officer or employee less efficient.

The local agency may adopt rules governing the application of this section. Such rules shall include provision for notice to employees of the determination of prohibited activities, of disciplinary action to be taken against employees for

PERSONNEL REGULATIONS

City of San Diego

Index Code: G-6

October 7, 1977

Page 2 of 2

PERSONNEL MANUAL

Probationary Periods and Standards of Performance

REGULATION OF OUTSIDE EMPLOYMENT OR ENTERPRISE

engaging in prohibited activities, and for appeal by employees from such a determination and from its application to an employee.

II. POLICY:

- A. It is the policy of the Civil Service Commission not to impose unnecessary restraints on the personal lives of City employees. However, the Commission recognizes that some standards should be provided in order to prevent conflicts that may occur between employees' outside employment activities and their City work. Existing rules and procedures provide for appropriate disciplinary action in the event outside employment activities begin to impact on a City employee's efficiency, sick leave usage, or other performance criteria. In addition, it is the Commission's policy that City employees shall not accept employment outside City service or participate actively in the management or operation of any business or enterprise that:
 - 1. Is incompatible with their City employment or would result in a conflict of interest with their responsibilities and obligations to the City; or
 - 2. Could result in criticism or discredit to the City.
- B. Employees whose outside employment may prolong recovery while on injury, industrial, or sick leave, or while on light duty assignments for the City, are in violation of this policy.
- C. The City Manager or other department head may formulate and adopt reasonable standards and procedures to ensure conformance to this policy.
- D. Violators of this policy are subject to appropriate disciplinary action.